Commission on Election Finances

Commission sur Le Financement Des Elections

FOURTEENTH ANNUAL REPORT

FOR THE YEAR 1988

Administering the Election Finances Act, 1986

QUATORZIÈME RAPPORT ANNUEL

POUR L'ANNÉE 1988

Administrant la loi de 1986 sur le financement des élections

COMMISSION

ON

ELECTION FINANCES

FOURTEENTH

ANNUAL REPORT

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Commission on Election Finances
Commission sur le financement des élections

Ontario

The Honourable Hugh Edighoffer
Speaker of the Legislature
Room 180, Legislative Building
TORONTO, Ontario
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Dear Mr. Speaker:

I have the honour to submit the Fourteenth Annual Report of the Commission on Election Finances which covers the year 1988.

This report is submitted pursuant to subsection 4(2) of the Election Finances Act, 1986.

Yours very truly,

Donald C. MacDonald
Chairman

April 30, 1989
DCM/da

L'Honorable Hugh Edighoffer
Président de l'Assemblée législative
Bureau 180
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TORONTO (Ontario) M7A 1A2

Monsieur le Président:

Il me fait plaisir de soumettre le Quatorzième rapport annuel de la Commission sur le financement des élections couvrant l'année 1988.

Ce rapport vous est soumis conformément au paragraphe 4(2) de la loi de 1986 sur le financement des élections.

Bien à vous

Donald C. MacDonald
Président

Le 30 avril 1989
DCM/da

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Warren R. Bailie

FOURTEENTH ANNUAL REPORT FOR THE YEAR 1988

The Commission's last annual report, covering the year 1987, was delayed until the Fall (of 1988) in order to be able to report on the review of the financial statements from parties, candidates and constituency associations covering the 1987 general election. With this report, we are back on schedule with a Spring publication.

A Year of Transition

The year 1988 saw the culmination of a great transition in the Commission's senior personnel and operations. Don Joynt, Bob Dobson and Ed Allen were familiar names from the establishment of the Commission in 1975. Don Joynt retired as Executive Director in 1987. He is now living in Minden, shovelling snow in the winter, fishing in the summer and doing some accounting on the side. Bob Dobson assumed the role of Executive Director for seven months before retiring on March 31, 1988. He is now so busy with voluntary community work that he wonders how he ever had time to come to work. After more than ten years of the routine of Commission work, Ed Allen opted for a career change, and left in November, 1988. Finally, Anna Ker who had been secretary of the Commission since 1975 left to undertake full-time responsibilities with the federal Immigration Refugee Board.

These departures coincided with the computerization of the operations and have led to a reorganization of the office to achieve maximum efficiency. Gordon Kushner, B.Comm., C.A., is Executive Director. Registration has been combined with Communication under the direction of Jean Ouellet. Roy Snider, C.A., is Financial Filing Officer, assisted by two Compliance Officers, Daphne Check and Eileen De Calderón.

During the past year the full-time staff has been reduced by one-third, from 15 to 10. With computerization every member of staff works from a common data base so that everyone has ready access to the up-to-date state of any file.

La publication du dernier rapport annuel de la commission, couvrant l'année 1987, a été retardée jusqu'à l'automne (1988) pour qu'il puisse rendre compte de l'examen des états financiers des partis politiques, des candidats et des associations de circonscription relatifs à l'élection générale de 1987. Avec le présent document, nous revenons au calendrier normal, qui prévoit la publication du rapport au printemps.

Une année de transition

L'année 1988 a vu le couronnement d'une importante transition dans la vie des hauts fonctionnaires et dans les travaux de la commission. MM. Don Joynt, Bob Dobson et Ed Allen étaient des noms familiers depuis la création de la commission en 1975. M. Don Joynt a quitté le poste de directeur général pour prendre sa retraite en 1987. Il vit maintenant à Minden, pelletant la neige l'hiver, s'adonnant à la pêche l'été et faisant un peu de comptabilité à l'occasion. M. Bob Dobson a occupé le poste de directeur général pendant sept mois avant de prendre lui aussi sa retraite le 31 mars 1988. Les travaux communautaires bénévoles l'occupent tellement qu'il se demande comment il a jamais eu le temps d'aller travailler. Après avoir consacré plus de dix années aux travaux courants de la commission, M. Ed Allen a opté en faveur d'un changement de carrière et nous a quittés en novembre 1988. Enfin, M^me^ Anna Ker, secrétaire de la commission depuis 1975, a décidé de travailler à temps plein au service de la Commission fédérale de l'immigration et du statut des réfugiés.

Ces départs ont coïncidé avec l'automatisation du fonctionnement de la commission et ont abouti à une réorganisation du bureau en vue de le doter du maximum d'efficacité. M. Gordon Kushner, B. Com., C.A. est le nouveau directeur général. La division des inscriptions a été réunie à celle des communications sous la direction de M. Jean Ouellet. M. Roy Snider, C.A. est dépositaire des états financiers, assisté de deux agents des finances, M^mes^ Daphne Check et Eileen De Calderón.

Guidelines

The Commission has the responsibility for developing guidelines to facilitate compliance with the Election Finances Act. Once a guideline has been approved by the Commission it is published in the Ontario Gazette and has the force of law. During the past year there have been two new guidelines of note.

The first dealt with leadership conventions. Ontario is the first Canadian jurisdiction in which the financing of leadership campaigns has come under a measure of statutory regulation. Candidates must register with the Commission, and file an audited financial statement of income and expenses, including the disclosure of all contributors over $100. However, there are no limits on contributions or expenditures, and no tax credits.

The legislation was drafted on the assumption that all leaders are chosen at a convention--which is not the case. Some of the minor parties do not hold conventions in choosing a new leader, and the Progressive Conservative Party has adopted a constitutional change, opting for a variation of the one-member-one-vote concept in the choice of their next leader. At its March 30, 1988 meeting, the Commission clarified this situation by an amendment to the existing guideline which reads: "The Commission defines a leadership convention as any procedure which a registered political party uses to choose a new leader."

The second new guideline dealt with the frequency with which nominated candidates raise funds before they have registered with the Commission. In order to discourage this repeated contravention the Commission approved a guideline which stipulates that any funds raised by a candidate prior to registration shall be turned over to the Commission.

Durant la dernière année, le personnel à temps plein a été réduit d'un tiers, passant de 15 à 10 personnes. Grâce à l'informatisation, chaque membre du personnel travaille à partir d'une base de données commune, de sorte que chacun a facilement accès aux données à jour de n'importe quel dossier.

Les directives

La commission est chargée d'élaborer des directives susceptibles de faciliter l'application de la Loi sur le financement des élections. Une fois qu'une directive est approuvée par la commission, elle est publiée dans la Gazette de l'Ontario et a force de loi. Deux directives adoptées au cours de la dernière année méritent d'être signalées.

La première a trait aux congrès de désignation du chef. L'Ontario est le premier territoire de compétence canadien dans lequel le financement des campagnes de désignation du chef est régi par un règlement prévu par la loi. Les candidats doivent s'inscrire auprès de la commission et déposer un état financier vérifié de leurs recettes et dépenses divulguant notamment le nom des auteurs de contributions supérieures à 100 $. Ni les contributions ni les dépenses ne sont toutefois plafonnées, et les contributions ne donnent lieu à aucun crédit d'impôt.

La loi se fonde sur l'hypothèse que tous les chefs de parti sont élus lors d'un congrès - ce qui n'est pas toujours le cas. Certains partis de moindre envergure ne tiennent pas de congrès pour se choisir un nouveau chef, et le Parti progressiste conservateur a modifié ses statuts dans le but de pouvoir utiliser une variation de la formule d'une voix par membre dans le choix de son prochain chef. Lors de sa réunion du 30 mars 1988, la commission a tiré au clair cette situation en modifiant la directive en vigueur qui stipule maintenant que : "La commission définit le terme "congrès de désignation du chef" comme toute procédure qu'utilise un parti inscrit pour choisir un nouveau chef".

Judicial Review

No charges have been laid for contraventions of the Act during 1988, so the year has been free of litigation. However, there was one instance of a judicial review. Michael Valpy, columnist with the Globe and Mail, sought information regarding the date of receipt of certain contributions. The Act stipulates that the name, address and amount of all contributors in excess of $100 must be filed with financial statements, but there is no reference to the date on which the contribution was made. The Commission decided that this information was merely for administrative purposes in assuring compliance, and therefore was not available to the public. Mr. Valpy sought judicial review of this decision. In its judgment of January 24, 1989, the Divisional Court reasoned that "the combined effect of the legislation and the guidelines... make the returns from financial officers, including the receipts which must accompany the return forms, public records which must be made available for inspection by any person upon request." The Court therefore ordered the Commission "to provide access to all the information recorded on the official receipts in its possession, power and control, representing sums greater than $100... subject only to the proviso that receipts representing sums of $100 or less may be withheld from public scrutiny." This latter proviso reaffirms section 35(1) of the Act and the relevant guideline.

In accordance with the decision of the Court, full receipt information was made available to Mr. Valpy. Henceforth, for contributions over $100, the date on which the contribution was made (i.e. deposited) along with the name, address and amount, are available to the public.

Outreach--Beyond Ontario

Election financing has become a matter of lively concern in jurisdictions throughout Canada and the United States. Escalating campaign costs have sharpened this concern.

La seconde nouvelle directive a trait à la fréquence à laquelle les candidats désignés recueillent des fonds avant de s'inscrire auprès de la commission. En vue de détourner les candidats de cette infraction, la commission a adopté une directive stipulant que tout candidat doit remettre à la commission les fonds qu'il a recueillis avant son inscription.

Examen judiciaire

La commission n'ayant déposé aucune accusation pour infraction à la loi en 1988, il n'y a donc pas eu de litige pendant l'année. Il y a toutefois eu un cas d'examen judiciaire. M. Michael Valpy, chroniqueur du Globe and Mail, a demandé accès à des renseignements concernant la date de réception de certaines contributions. La loi stipule que les nom, adresse et montant de contribution des auteurs de contributions supérieures à 100 $ doivent être déposés avec les états financiers, mais elle ne fait aucune mention de la date à laquelle la contribution a été versée. La commission a décidé que ce renseignement ne servait qu'un but administratif dans l'application de la loi et qu'il n'était donc pas à la disposition du public. M. Valpy a demandé une revision par la cour de cette décision. Dans son jugement du 24 janvier 1989, la Cour divisionnaire a fait valoir le raisonnement suivant : "Par l'effet combiné de la loi et des directives ... les rapports des agents des finances, notamment les reçus qui doivent accompagner ces rapports, constituent des documents publics qui doivent être mis à la disposition de quiconque demande à en prendre connaissance". La cour a donc ordonné à la commission "de donner accès à toute l'information consignée dans les reçus officiels en sa possession, en son pouvoir et sous son contrôle, qui font état des sommes supérieures à 100 $ ... sous réserve seulement que les reçus relatifs à des sommes inférieures à 100 $ peuvent être soustraits à l'examen du public". Cette dernière réserve réaffirme le paragraphe 35 (1) de la loi et la directive pertinente.

In the United States, when Congress legislated a limit on contributions and expenditures, in 1976 the Supreme Court upheld the former, but struck down any limitation on spending as a violation of the constitutional right to free speech. The result has been a proliferation of Political Action Committees (PACs), organized by corporations, unions or independent interest groups. Over the last decade their number has grown from 300 to 3700, and their spending now exceeds that raised by local committees of the parties. They are major players in the election game, gradually usurping the traditional role of political parties.

The Commission, along with most Chief Electoral Officers in Canada, is a member of the Council on Government Ethics Laws (COGEL). On December 4-7, 1988, Commissioners Ruston and Scandlan and Chairman MacDonald and the Executive Director Kushner attended the annual meeting of COGEL in Orlando, where changes and further needs in election financing were discussed with American and Canadian colleagues. Our systems are different, but there is much that we can learn from each other's experience.

This international meeting was preceded in July by the annual meeting of Canadian Electoral Officials in Charlottetown, Prince Edward Island. In all other Canadian jurisdictions, the responsibility for election finances rests with the Chief Electoral Officer, or the Chief Electoral Officer's appointee; only in Ontario does that responsibility rest with a separate, independent Commission.

The Canadian annual meeting in 1987, held in Ottawa, was the first occasion when a full session was devoted to election finances. It was felt that in a half day we had only scratched the surface of the problems and varied experience. Since finances are the sole obligation of the Ontario Commission, we offered to host a workshop of middle management personnel from all the Canadian jurisdictions to discuss common problems.

Conformément à la décision de la cour, M. Valpy a eu accès à tous les renseignements consignés sur les reçus. Dorénavant, dans le cas des contributions supérieures à 100 $, la date à laquelle la contribution a été effectuée (c'est-à-dire déposée), le montant de cette contribution ainsi que le nom et l'adresse de son auteur sont à la disposition du public.

Communications - Hors de l'Ontario

Le financement des élections est devenu une vive préoccupation dans les territoires de compétence du Canada et des États-Unis. L'escalade du coût des campagnes a accentué cette préoccupation.

Aux États-Unis, lorsque le Congrès a adopté une loi plafonnant les contributions et les dépenses électorales , la Cour suprême a confirmé, en 1976, le plafonnement des contributions, mais a écarté toute limitation des dépenses comme constituant une infraction à la liberté d'expression inscrite dans la Constitution. Il en a résulté une prolifération de comités d'action politique (Political Action Committees) mis sur pied par des sociétés, des syndicats ou des groupes d'intérêts indépendants. Au cours de la dernière décennie, le nombre de ces comités est passé de 300 à 3700, et leurs dépenses dépassent maintenant les sommes recueillies par les comités locaux des partis politiques. Ils jouent un rôle majeur dans le jeu électoral, usurpant progressivement le rôle traditionnel des partis politiques.

La commission, comme d'ailleurs la plupart des directeurs généraux des élections du Canada, est membre du Council on Government Ethics Laws (COGEL). Du 4 au 7 décembre 1988, les commissaires Ruston et Scandlan, M. MacDonald, président de la commission, et M. Kushner, son directeur général, ont assisté à la réunion annuelle du COGEL, à Orlando, au cours de laquelle ils ont eu des entretiens avec leurs collègues américains et canadiens sur les changements et autres besoins relatifs au financement des élections. Nos systèmes sont différents, mais nous pouvons apprendre beaucoup de l'expérience d'autrui.

That workshop was held in Toronto in January 1988. It proved to be so useful that a second workshop was hosted in February 1989, in Quebec City, when concurrent sessions were held on financing and certain other election procedures.

These gatherings are supplemented with a growing practice of seconding personnel for short terms among Canadian jurisdictions. For example, Daphne Check, one of our compliance officers, spent nine weeks last Fall with the Chief Election Officer in Manitoba, helping with the peak load after their provincial general election. Jean Ouellet, our Communications Officer will spend ten weeks this Spring with Elections Canada.

Outreach--Within Ontario

It is no exaggeration to say that every working day sees outreach between the Commission staff with local riding personnel or party provincial offices--either by telephone or correspondence. With intense activities of 1986-1988, plans were made in late 1988 to hold a "retreat" where representatives of all those concerned might get together for a day or two, away from the office and the telephones. It is useful for organizations periodically to step back, so to speak, and attempt a review of their operations. Those plans came to fruition on February 24-25, 1989 in an internal workshop, held at Niagara-on-the-Lake. In attendance were members of the Commission, its senior staff, members of the provincial offices of six of the eight registered parties, and a representative from each of the three caucuses at Queen's Park.

There was discussion on a wide range of problems and administrative practices where the work load of both staff and volunteers might be lightened. There was a discussion of how the most frequent contraventions of the Act might be lessened, if not eliminated. There was unanimous approval of the proposal to produce another video.

Cette réunion internationale a été précédée, en juillet, par la réunion annuelle des responsables canadiens des élections, à Charlottetown (Ile-du-Prince-Édouard). Dans tous les autres territoires de compétence du Canada, la responsabilité du financement des élections incombe à un directeur général des élections (Chief Electoral Officer) ou au fonctionnaire désigné par lui à cet effet. En Ontario seulement, cette responsabilité incombe à une commission distincte et indépendante.

La réunion annuelle des responsables canadiens tenue en 1987 à Ottawa fut la première occasion de consacrer une séance complète au financement des élections. Les participants trouvèrent alors qu'une demi-journée ne leur avait permis que d'effleurer les problèmes et les expériences variées. Étant donné que le financement est la seule obligation de la commission de l'Ontario, nous avons offert de mettre sur pied un atelier réunissant des cadres intermédiaires de tous les territoires de compétence du Canada pour y discuter de problèmes communs. Cet atelier s'est tenu à Toronto en janvier 1988. Il s'est avéré si utile qu'un deuxième atelier a été organisé en février 1989, à Québec, où l'on a tenu des séances simultanées sur le financement et sur certaines autres procédures électorales.

Ces rencontres sont complétées par un usage croissant de détachement de personnel pour de courtes durées entre territoires de compétence du Canada. C'est ainsi que Mme Daphne Check, une de nos agents des finances, a passé neuf semaines, l'automne dernier, auprès du directeur général des élections du Manitoba, pour lui prêter main-forte durant la période de pointe qui a suivi les élections générales tenues dans cette province. Pour sa part, M. Jean Ouellet, notre agent de communications, passera quelque temps au service d'Élections Canada en 1989.

The Commission produced a video primarily for CFOs in advance of the 1987 general election (a print of which was provided to the nearly 500 constituency associations). It was felt to have been so helpful that another is planned (after the forthcoming amendments to the Act) on the ongoing work of CFOs between elections.

Third-Party Election Activities

In 1983 the federal election legislation was amended to ban all third-party spending on advertising and related activities. On the eve of the 1984 election the National Citizens' Coalition challenged this prohibition as a violation of free speech guaranteed under the Charter of Rights and Freedoms. A lower court in Alberta upheld the challenge and no appeal was launched. In effect, that judgement became the law of the land in the 1984 and 1988 federal elections.

In contrast, the Quebec Election Act had banned third-party activities by making them subject to the approval of the Financial Agent of a party (in which case the expenditure in respect of them became a party expenditure). When challenged this prohibition was upheld by the Superior Court, and subsequently the judgement was confirmed by the Appeal Court.

The Ontario Election Finances legislation is silent on this question. The net result is that, in Canada federally and in Ontario provincially, registered parties and candidates are subject to statutory limitations on campaign contributions and expenditures while third-party activities are neither regulated nor subject to public disclosure.

In the Alberta lower court, a ban on third-party activities was judged to be a violation of free speech. In Quebec, the Superior Court has stated in its reasons for the decision, that the freedom to spend is not equivalent to the freedom of expression.

Communications - en Ontario

Il n'est pas exagéré de dire qu'il ne se passe pas de jour sans que le personnel de la commission n'entre en communication avec le personnel local des circonscriptions ou les bureaux provinciaux des partis, soit par téléphone, soit par correspondance. Compte tenu de l'intensité des activités en 1986-1988, la commission a envisagé à la fin de 1988, de convoquer une "retraite" qui rassemblerait un jour ou deux, loin du bureau et du téléphone, les représentants de toutes les parties concernées. Il est utile que des organismes prennent de temps à autre du recul et tentent de passer en revue leurs activités. Ce projet a débouché les 24 et 25 février 1989 sur un atelier interne qui s'est tenu à Niagara-on-the-Lake. Y assistaient des membres de la commission, certains de ses hauts fonctionnaires, des membres du bureau provincial de six des huit partis inscrits et un représentant de chacun des trois caucus de Queen's Park.

On y a discuté d'une gamme étendue de problèmes et de pratiques administratives qui permettraient d'alléger la charge de travail du personnel et des bénévoles. On y a discuté également de la façon d'atténuer, sinon d'éliminer, les plus fréquentes infractions à la loi. La proposition visant à produire un nouveau vidéo a reçu l'approbation unanime des participants.

La commission a produit un vidéo principalement à l'intention des directeurs des finances en prévision de l'élection générale de 1987 (près de 500 associations de circonscription en ont reçu un exemplaire). On l'a trouvé si utile que la commission en prépare un autre (qui sera complété après les modifications qui vont bientôt être apportées à la loi). Il y sera cette fois question du travail courant des directeurs des finances entre les élections.

Activités électorales de tierces parties

En 1983, on a modifié la loi fédérale sur les élections pour interdire toutes les dépenses engagées par des tierces parties en matière de publicité et activités connexes. A la

The issue is legally unresolved. In so far as provincial elections in Ontario are concerned it is a policy decision which remains for consideration of the Legislature.

> **The Committee has no desire to stifle the actions of such groups (third parties) in their day-to-day activities. However, the Committee has learned from other jurisdictions that if such groups are allowed to participate actively in an election campaign, any limitations or controls on political parties or candidates become meaningless...Such (groups) make limitations on expenditures, an exercise in futility, and render meaningless the reporting of election expenses by parties and candidates. The Committee recognizes that restrictions on all such organizations may encroach to some extent on their freedom of action, but without such restrictions any effort to limit and control election expenditures would come to nothing.**
>
> **Report of the (Barbeau) Committee on Election Expenses, 1966, p. 50.**

Amendments

On three occasions during the past year the Commission has submitted amendments to the Speaker for the Legislature's consideration. All these amendments will be found on pages 18 to 37.

veille de l'élection de 1984, la National Citizens' Coalition a contesté cette interdiction devant les tribunaux, faisant valoir qu'elle portait atteinte à la liberté d'expression garantie par la Charte des droits et libertés. Un tribunal de première instance de l'Alberta a donné raison à la coalition sans que cette décision ne soit portée en appel. A vrai dire, ce jugement a eu force de loi au cours des élections de 1984 et de 1988.

Par contre, la loi électorale du Québec interdit les activités des tierces parties en les assujettissant à l'approbation du directeur des finances d'un parti (auquel cas, les dépenses engagées par les tierces parties deviennent des dépenses du parti). Lorsque cette mesure a été contestée, elle a été confirmée par un jugement de la Cour supérieure, puis par la Cour d'appel.

La loi ontarienne sur le financement des élections est muette sur cette question. Il s'ensuit qu'au Canada, au palier fédéral, et en Ontario, au palier provincial, les partis et candidats inscrits sont assujettis à des plafonds réglementaires quant aux contributions et aux dépenses liées à la campagne, tandis que les activités des tierces parties ne sont ni réglementées ni du domaine public.

Pour le tribunal albertain de première instance, l'interdiction frappant les activités de tierces parties constitue une infraction à la liberté d'expression. Au Québec, la Cour supérieure a déclaré, dans les motifs à l'appui de sa décision, que la liberté de dépenser n'équivaut pas à la liberté d'expression.

Sur le plan juridique, la question n'est donc pas résolue. En ce qui concerne les élections provinciales en Ontario, c'est une décision fondamentale qui reste soumise à l'examen de l'Assemblée législative.

The Commission has been assured that these recommendations will be considered, along with those from other sources, in preparation of an amending bill.

Le comité ne souhaite pas étouffer les actes de ce genre de groupes (les tierces parties) dans leurs activités courantes. Le comité a toutefois appris d'autres territoires de compétence que si l'on permet à de tels groupes de participer effectivement à une campagne électorale, tout plafonnement ou tout contrôle imposés aux partis politiques ou aux candidats perdent tout leur sens ... Ces groupes font du plafonnement des dépenses un acte posé en pure perte et dépouillent de toute signification la déclaration des dépenses électorales par les partis et les candidats. Le comité reconnaît que les restrictions imposées à ces organismes risquent, dans une certaine mesure, d'empiéter sur leur liberté d'action mais, sans de telles restrictions, tout effort visant à plafonner et à contrôler les dépenses électorales est réduit à néant.

Rapport du comité (Barbeau) sur les dépenses électorales, 1966, p. 50 (traduction).

Modifications

A trois reprises au cours de la dernière année, la commission a déposé, auprès du président de l'Assemblée législative, des modifications soumises à l'examen de l'Assemblée.

La commission a reçu l'assurance que ces recommandations seraient étudiées avec celles d'autres sources, dans le cadre de la préparation d'un projet de loi visant à modifier la loi actuelle.

THE TWELFTH REPORT OF THE COMMISSION ON ELECTION FINANCES CONTAINING RECOMMENDATIONS IN RESPECT OF THE INDEMNITIES AND ALLOWANCES OF MEMBERS OF THE LEGISLATIVE ASSEMBLY:

This constitutes the **Twelfth Report** of the Commission on Election Finances containing recommendations with respect to the indemnities, salaries and allowances of Members of the Legislative Assembly.

By an amendment to the Legislative Assembly Act of Ontario which came into force April 1st, 1979, it was enacted:

> **"The Commission on Election Contributions and Expenses each year shall review and make such recommendations as it considers proper in respect of the indemnities and allowances of Members of the Assembly under this Act."**
>
> **and**
>
> **"The Commission on Election Contributions and Expenses shall report its recommendations to the Speaker and the Speaker shall cause the report to be laid before the Assembly if it is in session or, if not, at the next ensuing session."**

Subsequently, the Commission was given the responsibility for reviewing the salaries and allowances of the Members of the Executive Council.

A historical background of the Commission's reports is attached. **(See Appendix A)**

The Commission has reviewed their past reports and the action the government has taken and has reached the following conclusions:

LE DOUZIEME RAPPORT DE LA COMMISSION SUR LE FINANCEMENT DES ÉLECTIONS FAISANT ÉTAT DE RECOMMANDATIONS RELATIVES AUX INDEMNITÉS ET ALLOCATIONS DES DÉPUTÉS :

La présente constitue le **douzième rapport** de la Commission sur le financement des élections faisant état de ses recommandations relatives aux indemnités, appointements et allocations des députés.

Par une modification de la Loi sur l'Assemblée législative de l'Ontario, entrée en vigueur le 1er avril 1979, est décrété ce qui suit :

> **"Chaque année, la Commission [sur les contributions et les dépenses électorales] examine les questions relatives aux indemnités et aux allocations des députés et soumet par la suite ses recommandations."**
>
> **et**
>
> **"La Commission [sur les contributions et les dépenses électorales] soumet ses recommandations dans un rapport qu'elle présente au président de l'Assemblée. Le président fait déposer ce rapport devant l'Assemblée; si elle ne siège pas, il le dépose à la session suivante."**

Par la suite, la commission a reçu le mandat d'examiner les appointements et allocations des membres du Conseil des ministres.

Un historique des rapports de la commission est annexé au présent rapport **(voir Annexe A)**.

La Commission a examiné ses rapports antérieurs ainsi que les mesures prises par le gouvernement et est arrivée aux conclusions suivantes :

The basic Member's indemnity should be comparable to the salaries of members in comparable jurisdictions and of other persons in the work place and, therefore, a significant one-time increase is appropriate.

The tax-free allowance and the tax-free committee per diem allowances should be frozen. Many of the expenses of being a Member are now covered by the Legislature in other ways.

All other indemnities, salaries and allowances are for positions that result in additional work or expenses for the recipients and should be subject to increases.

In addition, the Commission feels that there should be provision for automatic annual increases.

Therefore, the Commission respectfully recommends:

That commencing April 1, 1989 the basic indemnity payable to each Member of the Legislative Assembly be increased to $45,000; all tax-free allowances including tax-free committee per diem allowances be frozen; all other indemnities, salaries and allowances for Legislative and Executive Council positions be increased by 3.5 per cent.

That commencing April 1, 1990 all indemnities, salaries and taxable allowances be adjusted annually on the basis of the lesser of the percentage change in Statistics Canada's Industrial Aggregate Index or 7%, and that all tax-free allowances be frozen.

Respectfully submitted this 26th day of April 1989.

L'indemnité de base des députés devrait être comparable aux appointements des députés de territoires de compétence comparables et à ceux qui sont pratiqués dans le monde du travail; il convient donc de les majorer d'un montant appréciable versé une seule fois.

L'allocation non imposable et l'allocation journalière non imposable pour participation à un comité devraient être gelées. Une bonne partie des frais inhérents à la charge de député est maintenant couverte d'autres façons par l'Assemblée législative.

Les autres indemnités, appointements et allocations ont tous trait à des postes qui comportent un travail ou des dépenses supplémentaires pour leur titulaire; ils devraient donc faire l'objet d'augmentations.

La commission estime, en outre, que l'on devrait prévoir des augmentations annuelles automatiques.

La commission recommande donc respectueusement ce qui suit :

A compter du 1er avril 1989, l'indemnité de base versée à chaque député à l'Assemblée législative est portée à 45 000 $; toutes les allocations non imposables, notamment les allocations journalières non imposables pour participation à un comité, sont gelées; tous les autres appointements, indemnités et allocations relatifs à des postes de l'Assemblée législative et du Conseil des ministres sont augmentés de 3,5 %.

A compter du 1er avril 1989, les indemnités, appointements et allocations imposables sont tous redressés annuellement de la variation en pourcentage de l'Indice pour l'ensemble des activités économiques de Statistique Canada ou de 7 %, selon le moins élevé des deux pourcentages; toutes les allocations non imposables sont gelées.

Respectueusement soumis ce 26e jour d'avril 1989.

The members of the Commission extend their appreciation to the parties, constituency associations, candidates, and other officials who support them, for the conscientious effort to comply with the provisions of the Act. A special thank you is extended to the legislators from all parties for their advice and assistance.

Respectfully submitted this 30th day of April 1989.

Donald C. MacDonald
Chairman/Président

Warren R. Bailie

H. Donald Guthrie, Q.C.

Richard F. Ruston

Ronald E. Sobier, Q.C.

En reconnaissance de leurs efforts conscientieux en vue de s'adapter aux provisions de la loi, les membres de la commission tiennent particulièrement à remercier les partis ppolitiques, les associations de circonscription, les candidats et tous les autres administrateurs qui ont prêtés leur appui à la commission. Dirigée aux législateurs représentant les partis politiques siégeant à l'Assemblée, une mention toute spéciale de remerciement pour leur aide et leurs conseils.

Respectueusement soumis ce 30 ième jour d'avril 1989.

Barrie Solandt Maxwell
Vice-Chair/Vice-Présidente

Penny Dickens

Daniel J. Murphy, Q.C.

William F. Scandlan

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APPENDIX A

The historical background of the Commission on Election Finances' reports containing recommendations in respect of the indemnities and allowances of Members of the Legislative Assembly:

HISTORICAL BACKGROUND

In December, 1978 the **Legislative Assembly Act** was amended to include section 70(a), (now section 72) which provided that:

> **The Commission shall each year review and make such recommendations as it considers proper in respect of the indemnities and allowances of the Members of the Assembly under the Act.**
>
> and
>
> **The Commission shall report its recommendation to the Speaker and the Speaker shall cause the report to be laid before the Assembly if it is in session or, if not, at the next ensuing session.**

This responsibility was extended to the salaries and allowances for Members of the Executive Council on September 4, 1979.

In making its initial report on June 14, 1979, the Commission determined that its recommendations should be based upon the following considerations, namely:

(a) That the allowances and indemnities of the legislature should not be tied to Civil Service salaries;

(b) That non-taxable allowances could be closely scrutinized;

(c) That the allowances and indemnities of our legislature should be examined with a view to being compatible with those of other jurisdictions across Canada;

(d) That reasonable, additional compensation should be allowed for additional responsibilities; and

(e) That, if possible, some incentive should be built into the overall system of allowances and indemnities.

This philosophy has continued to govern the Commission's recommendations over the years.

In its **First Report**, the Commission recommended an increase in the basic indemnity from $20,012 to $22,000 as well as increases to the additional indemnities payable to the Speaker, Deputy Speaker, Deputy Chairman of the Committees of the Whole House, Chairman of Committees of the Assembly, all Whips, including Deputy and Assistant Whips, House Leader of the Official Opposition and of a Recognized Party. The increases recommended to the additional indemnities were designed to reflect the additional responsibility in respect of which such allowance was payable. This report was accepted and enacted in its entirety by the Legislature on June 21, 1979.

The **Second Report**, dated December 12, 1979 contained no further recommendations.

On March 26, 1980 the **Third Report** was submitted. This report recommended an increase in the basic indemnity from $22,000 to $24,500 as well as increases in the additional indemnities payable to the Speaker, Chairman of the Committees of the Assembly, all Whips, including Deputy and Assistant Whips, the House Leader of the Official Opposition, the Leader of a Recognized Party, Parliamentary Assistants, Ministers without Portfolio, Ministers and the Premier. In this report, the Commission attempted to relate the additional indemnities payable to various offices one to the other. The recommendations contained in this report were enacted in their entirety by the Legislators on June 17, 1980. (A dissenting report was also distributed, recommending an increase in the basic indemnity from $22,000 to $35,000).

The Commission's **Fourth Report**, submitted February 3, 1981, contained three recommendations only, namely:

(i) An increase in the basic indemnity from 24,500 to $30,000;

(ii) An increase in the additional indemnity of the Leader of a Recognized Party other than the Government or opposition from $8,000 to $11,000; and

(iii) An increase in per-diem allowances for attending committee meetings from $52 (non-taxable) to $100 (taxable).

The recommendation with respect to the basic indemnity was enacted by the Legislature on July 3, 1981. In that enactment, the additional indemnity of the Leader of a Recognized Party was increased to $11,700. The non-taxable per-diem allowance of $52 for attending committee meetings was increased by $10 to $62. In addition, the Legislature increased the non-taxable allowances payable to Members of the Legislative Assembly from $8,000 to $10,000.

In its **Fifth Report** dated March 5, 1982 the Commission made two recommendations only, namely:

(i) An increase in the basic indemnity from $30,000 to $32,700; and

(ii) An increase in per-diem allowances for attending Committee meetings from $62 (non-taxable) to $100 (taxable).

The Legislative Assembly Act was amended to increase the basic indemnity from $30,000 to $31,800 and the annual tax-free allowance was increased as well, from $10,000 to $10,600.

The **Sixth** and **Seventh Report**, submitted in 1983 and 1984 followed the government's guideline with respect to financial restraint and recommended that all indemnities and allowances be increased by not more than 5%. The Legislature adopted this recommendation in each case.

The **Eighth Report** submitted May 8, 1985 recommended:

(a) That the basic indemnity payable to each Member of the Legislative Assembly be increased from $34,808 to $40,000;

(b) That the additional indemnity payable to the Leader of a Recognized Party be increased from $14,998 to $16,500;

(c) That the per-diem allowances for Committee work be doubled from $63 per day ($73 for Chairman) to $126 per day ($146 for Chairman) and that this allowance be fully taxable;

(d) That 15 years of pensionable service should be sufficient to qualify for full pension benefits; and

(e) That additional indemnities payable to Members of the Legislature in respect of various offices held by Members, including Membership in the Executive Council be increased by 4%.

The Legislature adopted only recommendation (d) as set out above, however, and elected to increase the basic indemnity, the expense allowance and all additional indemnities payable in respect of offices held by Members by 3.9%, in keeping with the Government's policy with respect to financial restraint.

The **Ninth Report** of the Commission, dated March 26, 1986 recommended:

(i) That the basic indemnity be increased to $42,000;

(ii) That all other indemnities, allowances and salaries payable be frozen; and

(iii) That the entire process of the Commission's responsibility with respect to indemnities, allowances and salaries be reviewed.

The Legislative Assembly Act was amended to increase all indemnities, allowances and salaries by 3.9%.

In the **Tenth Report**, submitted June 10, 1987, the Members of the Commission expressed the concern that their recommendations in respect of indemnities and allowances of Members of the Legislative Assembly appeared not to have been considered as a whole by the Legislature over the past six years, but that the Legislature had adopted only portions of the recommendations. The Commission, therefore, recommended:

(i) That section 72 of the Legislative Assembly Act R.S.O. 1980 c. 235, be amended to read as follows:

The Commission shall review and make such recommendations as it considers proper in respect of the indemnities and allowances of Members of the Assembly under this Act for the ensuing Legislature.

and that

A procedure be established allowing Members of the Assembly to adopt by resolution the recommendations of the Commission as presented.

(ii) That the basic indemnity payable to each Member of the Legislative Assembly be increased to $42,000, commencing with the next Legislature;

(iii) That all other indemnities, allowances and salaries be frozen.

Once again the Legislature chose not to follow those recommendations and voted instead to increase all indemnities, allowances and salaries by 4.4%.

The Eleventh Report:

The Members of the Commission are still concerned that their recommendations in respect of indemnities and allowances of Members of the Legislative Assembly are not considered by the Legislature. Nevertheless, the Commission respectfully recommends:

(i) That section 72 of the Legislative Assembly Act R.S.O. 1980 c. 235, be amended to read as follows:

The Commission shall review and make such recommendations as it considers proper in respect of the indemnities and allowances of Members of the Assembly under this Act for the ensuing Legislature.

and that

A procedure be established allowing Members of the Assembly to adopt by resolution the recommendations of the Commission as presented.

(ii) That the basic indemnity payable to each Member of the Legislative Assembly be increased to $45,000, commencing with the next Legislature;

(iii) That all other indemnities, allowances and salaries be frozen.

Respectfully submitted this 21st day of April 1988.

The catch-up increase in the basic indemnity to $45,000 was not accepted by the Legislature. Instead, there was an increase of 4.7 per cent on all indemnities, allowances and salaries.

APPENDIX B

Recommended amendments to the Election Finances Act, 1986:

1. Section 1(1)

	PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
1(1)	"campaign expense" means any expense incurred for goods or services in relation to an election by or on behalf of a political party, constituency association or candidate registered under this Act for use in whole or in part during the period commencing with the issue of a writ for an election and terminating on polling day, other than,...	1(l) payments made to the candidate in lieu of salary lost during an unpaid leave of absence from employment, 1(m) the rent associated with maintaining a temporary residence in the electoral district when the candidate does not maintain a residence therein, and 1(n) other expenses not of partisan value that are set out in guidelines provided by the Commission under clause 4(1)(j)	Clauses (l) and (m) reflect policy decisions already made by the Commission. Clause (n) gives the Commission authority to make further decisions of this nature should the Commission deem such changes advisable.

2. Section 1(1)(f)

	PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
1(1)(f)	expenses incurred for "victory parties" held and "thank you" advertising published after polling day,	1(1)(f) expenses incurred for "victory parties" held and "thank you" advertising published after the closing of polls.	This change reflects the reality of political life.

3. Section 4(1)(c) and (f)

	PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
4(1)	The Commission, in addition to its other powers and duties under this Act, shall,		
(c)	examine all financial returns filed with the Commission;	(c) cause all financial returns filed with the Commission to be examined and review the results of such examination;	This reflects the duties actually carried out by the Commission.
(f)	recommend any amendments to this Act that the Commission considers advisable;	(f) recommend to the Speaker of the Assembly any amendments to this Act that the Commission considers advisable;	For purposes of consistency with subsection 4(3) of the Act.

4. Section 4(3)

	PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
4(3)	The Commission shall, within sixty days following polling day, make recommendations	The Commission shall, within twelve months following polling day, make recommendations	In view of the fact that the Act provides that: (a) the campaign period terminates three months after polling day and (b) the campaign return filing deadline date is six months after polling day, the 60 day provision of Section 4(3) for recommending amendments of contribution limits, expense limits, subsidies, etc. is unrealistic because the deadline date for the filing of campaign returns is 30 days (approx.) subsequent to the 60-day deadline for the recommendation of such changes.

5. Section 10(3)(f)

	PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
10(3)	The Commission shall maintain a register of political parties and subject to this section shall register therein any political party that is qualified to be registered and that files an application for registration with the Commission, setting out,		
(f)	the name of the chief financial officer of the political party;	10(3)(f) the name and address of the chief financial officer and of the auditor of the party;	Housekeeping Amendment

6. Section 10(8)

	PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
10(8)	Where the Commission determines that the name and abbreviation thereof, if any, of a political party is registrable, that name and abbreviation thereof, if any, shall be reserved for the political party for a period of one year following the date that the Commission makes the determination and, during the period, the political party shall be deemed to be a registered political party for the purposes of subsection (5). 1986, c. 33, s. 10.	10(8) Where the Commission determines that the name and abbreviation thereof, if any, of a political party are registrable, that name and abbreviation thereof, if any, shall be reserved for the political party for a period of one year following the date that the Commission makes the determination and, during the period, the political party shall be deemed to be a registered political party for the purposes of subsection (5). 1986, c. 33, s. 10.	Housekeeping Amendment

7. Section 11(2)(d)

	PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
11(2)	The Commission shall maintain a register of constituency associations and, subject to this section, shall register therein any constituency association of a registered party that files an application for registration with the Commission setting out,...		
(d)	the name of the chief financial officer of the constituency association;	11(2)(d) the name and address of the chief financial officer and of the auditor of the constituency association;	Housekeeping Amendment

8. Section 13(6)

	PRESENT WORDING	RECOMMENDED AMENDMENT	RATIONALE
13(6)	Where a political party or constituency association is deregistered for failure to comply with section 42 or 43 or subsection 45(3), it may not apply for registration until the financial statements as required by section 42 or 43 or subsection 45(3), together with the auditor's report thereon as required by subsection 41(4), that were not filed have been filed with the Commission.	13(6) Where a political party or constituency association is deregistered for any reason, it shall file with the Commission financial statements of its assets and liabilities and of its income and expenses for the period commencing with the day immediately following the most recent period for which financial statements have been filed with the Commission under section 42 and ending on the date of deregistration, together with the auditor's report thereon as required by subsection 41(4), and it may not apply for reregistration until this subsection has been complied with.	To combat the serious problem of missing information from political parties and constituency associations that have been deregistered and also to determine the remaining surplus or deficit and to account for all official receipts, used or unused the Commission feels it is necessary for a political party or constituency association when deregistered to complete an audited financial return to and including the proposed date of deregistration and it may not apply for reregistration until this subsection has been complied with.

9. Section 13(8)

	PRESENT WORDING	RECOMMENDED AMENDMENT	RATIONALE
13(8)	Where a registered party of a registered constituency association applied to the Commission for deregistration under subsection (1), the chief financial officer of the registered party or constituency association shall, at the same time, file with the Commission financial statements of assets and liabilities and of income and expenses of the political party or constituency association as the case may be, for which he or she acted for the period commencing with the day immediately following the most recent period for which a financial statement has been filed with the Commission under section 42 of this section and ending on the last day upon which any financial activity of the political party or the constituency association, as the case may be, has occurred, together with the auditor's report thereon as required by subsection 41(4). 1986, c. 33, s. 13.	13(8) To be repealed.	Amended section 13(6) includes the former provisions of section 13(8).

10. Section 23(5)

	PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
23(5)	All political printed advertising, handbills, placards, posters and broadcast or telecast advertisements shall bear or make reference to the name of the registered constituency association, registered political party, person, corporation or trade union authorizing the political advertising. 1987, c. 5, s. 5.	23(5) All political printed advertising, handbills, placards, posters and broadcast or telecast advertisements shall use the words "authorized by" with reference to the name of the registered constituency association, registered political party, person, corporation or trade union authorizing the political advertising.	Housekeeping Amendment

11. Section 26

PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
26. Every political party, constituency association, candidate or leadership contestant registered under this Act shall issue or cause to be issued receipts as required by the Commission for every contribution accepted. 1986, c. 33, s. 26.	26(1) Every political party, constituency association, candidate or leadership contestant registered under this Act shall issue or cause to be issued receipts for every contribution accepted. 26(2) The Commission may, at any time, request the return of used and/or unused receipts and the political party, constituency association, candidate or leadership contestant registered under this Act shall, forthwith, after receiving a written request therefor, return the receipts to the Commission. 26(3) For the purposes of this section, "receipts" means the official receipt stock issued by the Commission to a registered political party, registered constituency association, registered candidate or registered leadership contestant.	This amendment enables the Commission to obtain any used or unused receipts in cases where a candidate withdraws, dies or is unable or unfit to continue as a candidate.

12. Section 27(3)

PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
27(3) An affiliated political organization may make a contribution in any year to the political party or any constituency association with which it is affiliated as if it were a person for the purposes of clause 19(1)(a).	27(3) An affiliated political organization may make a contribution in any year to: (a) the political party with which it is affiliated; (b) any constituency association with which it is affiliated; and (c) the candidate of any constituency association with which it is affiliated, as if the affiliated political organization were a person for the purpose of clause 19(1)(a).	This section permits affiliated political organizations to make contributions to parties or constituency associations but not to candidates directly. This creates a problem in that the party or association must accept the contribution and transfer it to the candidate. An amendment should be made to allow affiliated political organizations to make contributions directly to a candidate properly nominated by the association.

13. Section 39(1)

PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
39(1) The total campaign expenses incurred by a registered party and any person, corporation, trade union,unincorporated association or organization acting on behalf of that party during any campaign period shall not exceed the aggregate amount determined by multiplying 40 cents by,	39(1) The total campaign expenses incurred by a registered party and any person, corporation, trade union, unincorporated association or organization acting on behalf of that party shall not exceed the aggregate amount determined by multiplying 40 cents by,	Campaign expenses may be incurred other than during a campaign period.
(a) in relation to a general election, the number of electors entitled to vote, as certified by the Chief Election Officer under the Election Act, 1984, in the electoral districts in which there is an official candidate of that party; and	(a) in relation to a general election, the number of electors entitled to vote, as certified by the Chief Election Officer under the Election Act, 1984, in the electoral districts in which there is an official candidate of that party; and	
(b) in relation to a by-election in any electoral district, the number of electors entitled to vote, as certified by the Chief Election Officer under the Election Act, 1984, in that electoral district.	(b) in relation to a by-election in any electoral district, the number of electors entitled to vote, as certified by the Chief Election Officer under the Election Act, 1984, in that electoral district.	

14. Section 39(2)

	PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
39(2)	The total campaign expenses incurred by a registered candidate, the constituency association endorsing that candidate and any person, corporation, trade union,unincorporated association or organization acting on behalf of that candidate or constituency association during any campaign period shall not exceed the amount that is the aggregate of $2 for each of the first 15,000 of the number of electors entitled to vote, as certified by the Chief Election Officer under the Election Act, 1984, in the candidate's electoral district and $1 for each of the number of such electors in excess of 15,000 but not exceeding 25,000, and $0.25 for each of the number of such electors in excess of 25,000.	39(2) The total campaign expenses incurred by a registered candidate, the constituency association endorsing that candidate and any person, corporation, trade union, unincorporated association or organization acting on behalf of that candidate or constituency association shall not exceed the amount that is the aggregate of $2 for each of the first 15,000 of the number of electors entitled to vote, as certified by the Chief Election Officer under the Election Act, 1984, in the candidate's electoral district and $1 for each of the number of such electors in excess of 15,000 but not exceeding 25,000, and $0.25 for each of the number of such electors in excess of 25,000.	Campaign expenses may be incurred other than during a campaign period.

15. Section 39(3)

	PRESENT WORDING	RECOMMENDED AMENDMENT	RATIONALE
39(3)	In relation to candidates in the electoral districts of Cochrane North, Rainy River, Kenora, Lake Nipigon, Algoma and Nickel Belt, as set out in the Schedule to the Representation Act, 1986, the amount determined under subsection (2) shall be increased by $5,000.	39(3) In relation to candidates in the electoral districts of Cochrane North, Rainy River, Kenora, Lake Nipigon, Algoma, Nickel Belt, Parry Sound and Timiskaming, as set out in the Schedule to the Representation Act, 1986, the amount determined under subsection (2) shall be increased by $5,000.	By virtue of their size and geographical configuration the Commission felt Parry Sound and Timiskaming warranted an increase in their limitation on campaign expenses.

16. Section 41(1)

	PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
41(1)	Every candidate and leadership contestant at the time of appointment of his or her chief financial officer, and every registered party and registered constituency association, within thirty days after becoming registered under this Act, shall appoint an auditor licensed under the Public Accountancy Act or a firm whose partners resident in Ontario are licensed under that Act and shall forthwith advise the Commission of the name and address of such auditor or firm.	41(1) Every candidate and leadership contestant at the time of appointment of his or her chief financial officer, and every registered party and registered constituency association shall appoint an auditor licensed under the Public Accountancy Act or a firm whose partners resident in Ontario are licensed under that Act and shall forthwith advise the Commission of the name and address of such auditor or firm.	For purposes of consistency with political parties and constituency associations both of which must appoint an auditor at the time of registration.

17. Section 46(1)

	PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
46(1)	Every registered candidate in an electoral district who receives at least 15 per cent of the popular vote in such electoral district is entitled to be reimbursed by the Commission for the lesser of campaign expenses for the campaign period as shown on the statement of income and expenses filed with the Commission, in accordance with section 43, together with the auditor's report in accordance with subsection 41(4), or an amount equal to 20 per cent of the maximum expenditure limit in accordance with subsection 39(2).	46(1) Every registered candidate in an electoral district who receives at least 15% of the popular vote in such electoral district is entitled to be reimbursed by the Commission for the lesser of: (a) campaign expenses for the campaign period as shown on the statement of income and expenses filed with the Commission, in accordance with section 43, together with the auditor's report in accordance with subsection 41(4); or (b) an amount equal to 20% of the maximum expenditure limit in accordance with subsection 39(2).	For Clarification

18. Section 46(2)

PRESENT WORDING	RECOMMENDED AMENDMENT	RATIONALE
46(2) In relation to candidates in the electoral districts of Cochrane North, Rainy River, Kenora, Lake Nipigon, Algoma and Nickel Belt, as set out in the Schedule to the Representation Act, 1986, the amount determined under subsection (1) shall be increased by $5,000.	46(2) In relation to candidates in the electoral districts of Cochrane North, Rainy River, Kenora, Lake Nipigon, Algoma, Nickel Belt, Parry Sound and Timiskaming, as set out in the Schedule to the Representation Act, 1986, the amount determined under subsection (1) shall be increased by $5,000.	By virtue of their size and geographical configuration the Commission felt Parry Sound and Timiskaming warranted an increase in their reimbursement of campaign expenses.

19. Section 46(2)

PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
46(2) In relation to candidates in the electoral districts of Cochrane North, Rainy River, Kenora, Lake Nipigon, Algoma and Nickel Belt, as set out in Schedule to the Representation Act, 1986, the amount determined under subsection (1) shall be increased by $5,000.	46(2) In relation to candidates in the electoral districts of Cochrane North, Rainy River, Kenora, Lake Nipigon, Algoma, Nickel Belt and Parry Sound, as set out in the schedule to the Representation Act, 1986, the amount determined under subsection (1) shall be the lesser of: (a) the campaign expense reported, or (b) the sum of: (i) an amount equal to 20% of the maximum expenditure limit in accordance with subsection 39(2); and (ii) anadditional $5,000.	It would appear on reading section 42(2) that candidates in the named electoral districts are entitled to a subsidy of the lesser of the expenses incurred or 20% of the expenditure limit under section 39(2) and an additional gratuitous $5,000. If this were the case a candidate who spent less than the maximum allowed could receive a subsidy greater than the amount spent by the extra $5,000 amount.

20. Section 46(6)

	PRESENT WORDING	RECOMMENDED AMENDMENT	RATIONALE
46(6)	Every registered party that receives at least 15 per cent of the popular vote in any electoral district and that has filed its statement of income and expenses with the Commission in accordance with section 43, together with the auditor's report in accordance with subsection 41(4), is entitled to be reimbursed by the Commission for the aggregate amount determined by multiplying 5 cents by the number of electors entitled to vote, as certified by the Chief Election Officer under the Election Act, 1984 in each electoral district in which the political party received 15 per cent of the popular vote and such moneys shall be payable to the political party's chief financial officer.	46(6) Every registered party that receives at least 15 percent of the popular vote in any electoral district is entitled to be reimbursed by the Commission for the lesser of campaign expenses for the campaign period as shown on the statement of income and expenses filed with the Commission in accordance with section 43, together with the auditor's report in accordance with subsection 41(4), or an amount equal to the aggregate amount determined by multiplying 5 cents by the number of electors entitled to vote, as certified by the Chief Election Officer under the Election Act, 1984 in each electoral district in which the political party received 15 per cent of the popular vote and such moneys shall be payable to the political party's chief financial officer.	Section 46(1) of the Act requires that candidates must incur campaign expenses in order to receive a subsidy. Section 46(6) says that a party is entitled to a certain reimbursement without clearly requiring the party to incur any campaign expenses. To clarify any possible misinterpretation the Commission feels that section 46(6) should be amended so that its reimbursement provisions are parallel to those of section 46(1).

21. Section 46(7)

	PRESENT WORDING	PROPOSED AMENDMENT	RATIONALE
46(7)	A political party is not entitled to be reimbursed for expenses under subsection (6) unless its chief financial officer has filed the financial statements required by section 43, together with the auditor's report thereon as required by subsection 41(4), and the Commission is satisfied that such statements meet the requirements of this Act.	46(7)(a) The Commission may approve an interim subsidy payment to a political party of up to 50% of the total subsidy as estimated by the Commission upon receipt of the financial statements required by section 43, together with the auditor's report thereon as required by subsection 41(4).	This will help defray election costs.

22. NEW	PROPOSED AMENDMENT	RATIONALE
	That the Act be amended to provide for a single filing of income and expenses of candidates and constituency associations during a campaign year. The principal section of the Act affected by this proposed amendment is section 43, drawing Legislative Counsel's attention to related sections: 13(2)(a); 13(2)(b); 13(6); 14(6); 34(4)(d); 39(5); 41(3); 41(7)(a); 41(7)(b); 41(7)(c); 44(1); 46(1); 46(3); 46(6); 46(7); 48(1).	(See Below)

RATIONALE:

The present Act requires a candidate to register with the Commission prior to the campaign organization accepting or spending any money. This registration date varies depending on the date of the nomination meeting, the date of the writ for an election, and the promptness with which the chief financial officer or campaign official can dispatch the registration form to the Commission. The Act specifies that only the candidate's chief financial officer can accept contributions or authorize expenditures. A further requirement compels the nominating constituency association to keep separate records for the campaign period and to report on the activities during the campaign period on a separate return. In an election year, the association files two returns and the candidate must also file a return with the Commission.

Needless to say, the present Act generates confusion on when the candidate's organization can commence operations; who accounts for which transaction; proper recording of transfers of cash and inventory; and who may accept contributions. Considerable extra effort and redundancy is created in preparing three filings. This extra burden falls on the chief financial officers and auditors.

The proposed amendment is to simplify the registration and reporting process by amending various sections of the Act. The separate filing by the constituency association should be combined with the candidate filing thus eliminating one return. The singular reporting period for the Statement of Campaign Income and Expenses would commence immediately with the date the election writs are issued. The candidate's registration with the Commission would be for record information but would also be made a condition of the candidate's name appearing on the ballot. Using the present model for parties, the association annual contribution limit of $750 would be increased by a further $750 during the campaign period. The audit subsidy of $800 or the candidate's return would be added to the $400 already allowed for association campaign returns for a total subsidy of $1,200 for the campaign period return. Additional simplification would be achieved having only one series of receipts, to be issued by the association. When a candidate appoints a chief financial officer other than the association C.F.O., it will be necessary for that person to work with the ongoing chief financial officer to ensure that proper campaign records are maintained and a statement filed.

NOTE: The question of third-party election activities was discussed by the Commission, but without any recommendation of an amendment. Because this is basically a policy issue, it is drawn to the attention of the Legislature for its consideration and decision.

APPENDIX C

Statement of Expenditures for the year ended March 31, 1988:

OFFICE OF THE PROVINCIAL AUDITOR

Box 105, 15th Floor, 20 Dundas St. West
Toronto, Ontario M5G 2C2
(416) 965-2242

To the Commission on Election Finances and
to the Speaker of the Assembly.

I have examined the statement of expenditure of the Commission on Election Finances for the year ended March 31, 1988. My examination was made in accordance with generally accepted auditing standards, and accordingly included such tests and other procedures as I considered necessary in the circumstances.

In my opinion, this statement presents fairly the expenditure of the Commission for the year ended March 31, 1988 in accordance with accounting policies described in note 1 to the financial statement applied on a basis consistent with that of the preceding year.

Toronto, Ontario,
June 17, 1988.

J.F. Otterman, F.C.A.,
Assistant Provincial Auditor.

COMMISSION ON ELECTION FINANCES

Statement of Expenditure
for the year ended March 31, 1988

	1988 $	1987 $
Administrative and operating		
Salaries and employee benefits	767,209	528,690
Office rent	139,948	146,287
Office supplies and expenses	86,190	78,756
Office furniture and equipment	56,069	51,308
Publishing candidates' campaign financial summaries	124	27,920
Commission meetings	24,795	28,321
Outreach Program	20,764	-
Renovations	-	17,015
Telephone, mail and shipping	21,536	14,161
Travel	11,565	11,514
Professional fees	16,338	13,361
Miscellaneous	2,290	895
	1,146,828	918,228
Subsidies (note 3)		
Campaign expenses		
- candidates	840,591	121,389
- parties	556,362	-
Audit fees :		
Annual returns	178,290	245,885
Campaign returns		
- constituency associations	41,080	23,325
- candidates	85,015	13,550
	1,701,338	404,149
Total expenditure	2,848,166	1,322,377
Less anonymous and excess contributions received (note 4)	(19,239)	(5,585)
Net expenditure	2,828,927	1,316,792

See accompanying notes to financial statement.

On behalf of the Commission :

Donald C MacDonald
Chairman

Barrie S Maxwell
Member

NOTES TO FINANCIAL STATEMENT MARCH 31, 1988

1. ACCOUNTING POLICIES

(a) Basis of accounting

The Commission uses the cash basis of accounting which is modified to allow an additional 30-days to pay for goods and services pertaining to the fiscal year just ended.

(b) Furniture and equipment

Expenditures on furniture and equipment are expensed in the year of acquisition.

2. SOURCE OF FUNDS

Expenditures are paid out of the Legislative Assembly Fund of the Office of Assembly.

3. SUBSIDIES

The Election Finances Act, 1986 requires payment by the Commission of the following subsidies:

- Candidate campaign expenses to every registered candidate who receives at least 15 per cent of the popular vote in an electoral district. The reimbursed amount is the lesser of the candidate's campaign expenses or 20 per cent of the allowable maximum campaign expenditure limit based on the number of voters in the candidate's electoral district. Candidates in designated northern electoral districts may receive an additional $5,000.

- Campaign expenses to every registered party that receives at least 15% of the popular vote in any electoral district. The reimbursed amount if five cents per eligible voter in each electoral district in which the party receives at least 15 % of the popular vote.

- Audit fees for annual, campaign, and special returns of each registered constituency association to a maximum of $400 per return.

- Audit fees for campaign and special returns of each registered candidate to a maximum of $800 per return.

- Audit fees for campaign and special returns of each leadership contestant to a maximum of $600 per return.

4. ANONYMOUS AND EXCESS CONTRIBUTIONS

Under the Act, anonymous contributions received by a registered political party, constituency association, candidate or leadership contestant must be remitted to the Commission. In addition, excess contributions must be remitted to the Commission where the recipient is unable to recover the official receipt and refund the excess to the contributor.

5. COMPARATIVE FIGURES

Prior year's figures have been reclassified where necessary to conform to the current year's presentation.

APPENDIX D

List of registered political parties in Ontario:

REGISTERED POLITICAL PARTIES

(i) Deemed to be registered with the coming to force of the Election Finances Reform Act:

1. Progressive Conservative Party of Ontario
2. Ontario Liberal Party
3. New Democratic Party

(ii) Political Parties registered by the petitioning process provided by the Election Finances Reform Act:

1. Communist Party of Canada (Ontario) - Registered on August 19, 1975
2. Ontario Libertarian Party - Registered on August 18, 1976
3. Freedom Party of Ontario - Registered as the Unparty Party (Ontario) on November 26, 1980 - Renamed on January 1, 1984
4. The Green Party of Ontario - Registered on July 4, 1984

(iii) Political Parties registered by the petitioning process provided by the Election Finances Act:

1. Family Coalition Party of Ontario - Registered on June 10, 1987

APPENDIX E

Registered constituency associations as of December 31, 1989:

Registered Constituency Associations as of January 1, 1988:

Ontario Liberal Party	130	
New Democratic Party of Ontario	130	
Progressive Conservative Party of Ontario	130	
Communist Party of Canada (Ontario)	17	
Ontario Libertarian Party	12	
Freedom Party of Ontario	9	
Green Party of Ontario	10	
Family Coalition Party of Ontario	36	474

Additions during 1988

Libertarian Party Associations:

Etobicoke-Lakeshore	April 6	
Oakville South	May 2	
Sarnia	May 2	
Scarborough West	July 12	4

Freedom Party Associations:

Oakville South	January 15	
Welland-Thorold	April 13	2

Green Party Associations:

St. Catherines-Brock	August 29	1

Family Coalition Party Associations:

Carleton	February 29	
Durham Centre	June 27	
Halton North	May 10	
Ottawa Centre	February 24	
Ottawa South	February 29	5

Deletions during 1988

Libertarian Party Associations:

Durham West	February 24	
Yorkview	May 25	(2)

Green Party Associations:

Halton Centre	April 20	
Northumberland	April 20	(2) 8
		482

Registered Constituency Associations as of December 31, 1988

Ontario Liberal Party	130	
New Democratic Party of Ontario	130	
Progressive Conservative Party of Ontario	130	
Communist Party of Canada (Ontario)	17	
Ontario Libertarian Party	14	
Freedom Party of Ontario	11	
Green Party of Ontario	9	
Family Coalition Party of Ontario	41	482

APPENDIX F

Summary of financial data reported in registered constituency associations' 1987 annual financial statements:

STATEMENT OF RECEIPTS AND EXPENSES	ONTARIO LIBERAL PARTY	NEW DEMOCRATIC PARTY	PROGRESSIVE CONSERVATIVE PARTY	COMMUNIST PARTY (ONTARIO)	ONTARIO LIBERTARIAN PARTY	GREEN PARTY OF ONTARIO	FAMILY COALITION PARTY	TOTAL
	$	$	$	$	$	$	$	$
Receipts								
Net Contributions	574,942	150,787	428,821	8,217	8,480	4,545	48,437	1,224,229
Transfers	228,215	859,785	174,803	2,567	2,440	[illegible]	7,535	1,275,345
Other Income	314,012	65,415	152,978	791	147	73	5,353	538,769
TOTAL INCOME	1,117,169	1,075,987	756,602	11,575	11,067	4,618	61,325	3,038,343
Expenses								
Excluding transfers	779,811	194,979	650,477	7,841	5,625	2,580	34,839	1,676,152
Transfers	1,544,471	1,757,284	1,109,923	5,082	6,710	245	24,795	4,448,510
TOTAL EXPENSES	2,324,282	1,952,263	1,760,400	12,923	12,335	2,825	59,634	6,124,662
Surplus (deficit) for the campaign period	(1,207,113)	(876,276)	(1,003,798)	(1,348)	(1,268)	1,793	1,691	(3,086,319)

APPENDIX G

Summary of financial data reported in registered constituency associations' 1987 annual financial statements:

A. STATEMENT OF RECEIPTS AND EXPENSES	ONTARIO LIBERAL PARTY	NEW DEMOCRATIC PARTY	PROGRESSIVE CONSERVATIVE PARTY	COMMUNIST PARTY (ONTARIO)	ONTARIO LIBERTARIAN PARTY	GREEN PARTY OF ONTARIO	FAMILY COALITION PARTY	TOTAL
	$	$	$	$	$	$	$	$
Receipts								
Net Contributions	1,854,326	320,621	808,068	1,878	9,995	12,102	3,349	3,020,338
Transfers	355,414	915,397	140,679	900	530	168	1,068	1,414,156
Other Income	1,187,177	136,722	617,799	1	178	166	4,102	1,946,145
TOTAL INCOME	3,396,917	1,372,740	1,566,546	12,778	10,703	12,436	8,519	6,380,639
Expenses								
Excluding transfers	1,874,155	321,406	990,603	8,887	12,725	16,820	7,031	3,231,625
Transfers	588,660	777,149	114,389	2,660	672	0	55	1,483,585
TOTAL EXPENSES	2,462,813	1,098,555	1,104,992	11,547	13,397	16,820	7,086	4,715,210
Excess receipts over expenses	934,104	274,185	461,554	1,231	(2,694)	(4,384)	1,433	1,665,429
Add: adjusted prior period surplus	1,432,194	364,795	1,590,672	4,116	6,281	6,107	0	3,404,105
Add. general election surplus	(1,207,113)	(876,276)	(1,003,798)	(1,348)	(1,268)	1,793	1,691	(3,086,319)
Surplus at Dec. 31, 1987	1,159,185	(237,296)	1,048,428	3,999	2,259	3,516	3,124	1,983,215

B. STATEMENT OF ASSETS AND LIABILITIES	ONTARIO LIBERAL PARTY	NEW DEMOCRATIC PARTY	PROGRESSIVE CONSERVATIVE PARTY	COMMUNIST PARTY (ONTARIO)	ONTARIO LIBERTARIAN PARTY	GREEN PARTY OF ONTARIO	FAMILY COALITION PARTY	TOTAL
	$	$	$	$	$	$	$	$
Assets								
TOTAL	1,628,083	551,695	1,461,516	3,999	2,279	3,545	25,954	3,677,071
Liabilities & Surplus:								
Liabilities	469,898	788,991	413,088	0	20	29	22,830	1,693,856
Surplus	1,158,185	(237,296)	1,048,428	3,999	2,259	3,516	3,124	1,983,215
TOTAL	1,628,083	551,695	1,461,516	3,999	2,279	3,545	25,954	3,677,071

APPENDIX H

Financial data extracted from registered political party 1987 campaign financial statements:

STATEMENT OF RECEIPTS AND EXPENSES	ONTARIO LIBERAL PARTY	NEW DEMOCRATIC PARTY	PROGRESSIVE CONSERVATIVE PARTY	COMMUNIST PARTY (ONTARIO)	ONTARIO LIBERTARIAN PARTY	FREEDOM PARTY OF ONTARIO	GREEN PARTY OF ONTARIO	FAMILY COALITION PARTY	TOTAL
	$	$	$	$	$	$	$	$	$
Receipts									
Net Contributions	2,242,482	460,378	1,306,500	23,969	17,945	20,474	1,000	43,275	4,116,023
Transfers	130,727	170,494	16,518	5,194	1,149	ø	ø	195	324,277
Other Income	ø	1,661	58,127	ø	5,531	49	ø	16,754	82,122
TOTAL INCOME	2,373,209	632,533	1,381,145	29,163	24,625	20,523	1,000	60,224	4,522,422
Expenses									
Excluding transfers	2,351,759	1,381,823	1,960,807	29,880	23,295	21,008	ø	22,601	5,791,173
Transfers	246,026	93,601	13,895	3,500	7,497	ø	ø	14,714	379,233
TOTAL EXPENSES	2,597,785	1,475,424	1,974,702	33,380	30,792	21,008	ø	37,315	6,170,406
Surplus (deficit) before subsidy	(224,576)	(842,891)	(593,557)	(4,217)	(6,167)	(485)	1,000	22,909	(1,647,984)
Subsidy	303,369	252,993	232,083	ø	ø	ø	ø	ø	788,445
Surplus (deficit) for the campaign period	78,793	(589,898)	(361,474)	(4,217)	(6,167)	(485)	1,000	22,909	(859,539)

APPENDIX I

Financial data extracted from registered political party 1987 annual financial statements:

A. STATEMENT OF RECEIPTS AND EXPENSES	ONTARIO LIBERAL PARTY	NEW DEMOCRATIC PARTY	PROGRESSIVE CONSERVATIVE PARTY	COMMUNIST PARTY (ONTARIO)	ONTARIO LIBERTARIAN PARTY	FREEDOM PARTY OF ONTARIO	GREEN PARTY OF ONTARIO	FAMILY COALITION PARTY	TOTAL
	$	$	$	$	$	$	$	$	$
Receipts									
Net Contributions	1,837,604	1,790,047	1,355,740	22,653	48,999	18,472	ø	12,916	5,086,431
Transfers	248,924	1,559,189	50,328	4,028	2,451	ø	445	ø	1,865,365
Other Income	50,128	284,564	59,018	1	6,542	75	1	4,277	404,516
TOTAL INCOME	2,136,656	3,633,800	1,465,086	26,682	57,992	18,547	446	17,193	7,356,402
Expenses									
Excluding transfers	2,318,616	2,020,352	2,447,731	25,048	53,234	20,544	249	20,019	6,905,793
Transfers	182,959	1,498,519	500	900	430	ø	ø	ø	1,683,308
TOTAL EXPENSES	2,501,575	3,518,871	2,448,231	25,948	53,664	20,544	249	20,019	8,589,101
Excess Receipts over expenses	(364,919)	114,929	(983,145)	734	4,328	(1,997)	197	(2,826)	(1,232,699)
Add: adjusted prior period surplus (deficit)	64,581	(348,257)	(3,872,150)	4,552	16,219	2,409	64	ø	(4,132,582)
Add: campaign period surplus (deficit)	78,793	(589,898)	(361,474)						
Surplus (deficit) at December 31, 1987	(221,545)	(823,226)	(5,216,769)	1,069	14,380	(73)	1,261	20,083	(6,224,820)

B. STATEMENT OF ASSETS AND LIABILITIES	ONTARIO LIBERAL PARTY	NEW DEMOCRATIC PARTY	PROGRESSIVE CONSERVATIVE PARTY	COMMUNIST PARTY (ONTARIO)	ONTARIO LIBERTARIAN PARTY	FREEDOM PARTY OF ONTARIO	GREEN PARTY OF ONTARIO	FAMILY COALITION PARTY	TOTAL
	$	$	$	$	$	$	$	$	$
Assets									
TOTAL	465,443	749,892	639,125	6,488	14,380	(73)	1,470	21,203	1,897,928
Liabilities & Surplus:									
Liabilities	686,988	1,573,118	5,855,894	5,419	ø	ø	209	1,120	8,122,748
Surplus	(221,545)	(823,226)	(5,216,769)	1,069	14,380	(73)	1,261	20,083	(6,224,820)
TOTAL	465,443	749,892	639,125	6,488	14,380	(73)	1,470	21,203	1,897,928

APPENDIX J

Summary of candidates' and associations' income, expenses and subsidies for the London North By-Election on March 31, 1988:

Party	Candidate	Income Before Subsidy	Expenses		Campaign Expenses Limitation	Subsidies		Revised List of Eligible Voters	Ballot Count	Popular Vote	Ballot Count Required to Qualify for Subsidy 15%
			Total Period	Subject To Limitation		Paid to and CFO	Paid to Auditor				
		$	$	$	$	$	$				
P.C.	Diane Cunningham	63,073.00	62,747.00	49,871.00	50,891.25	10,178.25	800	68,565	13,858	32,835	4,925
LIB.	Elaine Peusa	60,605.84	90,223.35	43,682.42		10,178.25	800		10,366		
NDP	Diane Whiteside	43,445.95	44,206.29	17,011.05		10,178.25	800		6,789		
FCP	Brenda Rowe	11,639.15	10,828.95	9,857.00		-	400		1,149		
FRE	Barry Malcolm	-	-	-		-	250		548		
-	John C. Turmel	-	-	-		-	-		115		

APPENDIX K

Financial data extracted from registered political party campaign period returns for the London North By-Election on March 31, 1988:

STATEMENT OF RECEIPTS AND EXPENSES	PROGRESSIVE CONSERVATIVE PARTY	ONTARIO LIBERAL PARTY	NEW DEMOCRATIC PARTY	FAMILY COALITION PARTY	FREEDOM PARTY OF ONTARIO
	$	$	$	$	$
Receipts					
Net Contributions	1,041,224	795,881	Ø	Ø	3,276
Transfers	32,356	Ø	Ø	Ø	Ø
Other Income	Ø	Ø	Ø	Ø	Ø
TOTAL INCOME	**1,095,266**	**795,881**	**Ø**	**Ø**	**3,276**
Expenses					
Excluding transfers	124,544	10,243	12,117	2,933	5,386
Transfers	5,000	1,000	Ø	5,230	Ø
TOTAL EXPENSES	**129,544**	**11,243**	**12,117**	**8,163**	**5,386**
Surplus (Deficit) Before Subsidy	965,722	784,638	(12,117)	(8,163)	(2,110)
SUBSIDY	**Ø**	**3,428**	**3,428**	**Ø**	**Ø**
SURPLUS (DEFICIT) FOR THE CAMPAIGN PERIOD	**965,722**	**788,066**	**(8,689)**	**(8,163)**	**(2,110)**

The Election Finances Act provides that the requirement for a political party to file a statement of receipts and expenses in relation to a by-election does not apply if the party did not receive contributions or make expenditures in relation to such by-election.

The Commission received such declarations from the Communist Party of Canada (Ontario), the Ontario Libertarian Party and the Green Party of Ontario, in relation to the by-election.

APPENDIX L

Historical review of provincial election activity since the Election Finances Reform Act:

YEAR		ISSUE OF THE WRIT	POLLING DAY	CAMPAIGN PERIOD FROM	CAMPAIGN PERIOD TO	COMMERCIAL ADVERTISING FROM	COMMERCIAL ADVERTISING TO	FILING DATE
1975	General Provincial Election	Aug. 11/75	Sept. 18/75	Aug. 11/75	Jan. 18/76	Aug. 27/75	Sept. 16/75	Mar. 18/76
1977	General Provincial Election	Apr. 29/77	June 9/77	Apr. 29/77	Oct. 9/77	May 18/77	June 7/77	Dec. 9/77
1978	By-Elections:							
	Chatham-Kent	Sept. 11/78	Oct. 19/78	Sept. 11/78	Feb. 19/79	Sept. 27/78	Oct. 17/78	Apr. 19/79
	Sault St. Marie	Oct. 30/78	Dec. 14/78	Oct. 30/78	Apr. 14/79	Nov. 22/78	Dec. 12/78	June 14/79
1979	By-Elections:							
	Scarborough West							
	Wentworth	Feb. 19/79	Apr. 5/79	Feb. 19/79	Aug. 5/79	Mar. 14/79	Apr. 3/79	Oct. 5/79
1980	By-Election:							
	Carleton	Oct. 6/80	Nov. 20/80	Oct. 6/80	Mar. 20/81	Oct. 29/80	Nov. 18/80	May 20/81
1981	General Provincial Election	Feb. 2/81	Mar. 19/81	Feb. 2/81	July 19/81	Feb. 25/81	Mar. 17/81	Sept. 19/81
1982	By-Elections:							
	Hamilton West	May 10/82	June 17/82	May 10/82	Oct. 17/82	May 26/82	June 15/82	Dec. 18/82
	York South	Sept. 27/82	Nov. 4/82	Sept. 27/82	Mar. 4/83	Oct. 13/82	Nov. 2/82	May 4/83
1983	By-Election:							
	Stormont Dundas &							
	Glengarry	Oct. 31/83	Dec. 15/83	Oct. 31/83	Apr. 15/84	Nov. 23/83	Dec. 13/83	June 15/84
1984	By-Elections:							
	Hamilton Centre							
	Ottawa Centre							
	Ottawa East							
	Prescott & Russell							
	Wentworth North	Oct. 29/84	Dec. 13/84	Oct. 29/84	Apr. 13/85	Nov. 21/84	Dec. 11/84	June 13/85
1985	General Provincial Election	Mar. 25/85	May 2/85	Mar. 25/85	Sept. 2/85	Apr. 10/85	Apr. 30/85	Nov. 2/85
1986	By-Elections:							
	York East	Mar. 6/86	Apr. 17/86	Mar. 6/86	Aug. 17/86	Mar. 26/86	Apr. 15/86	Oct. 17/86
	Cochrane North	June 26/86	Aug. 14/86	June 26/86	Dec. 14/86	July 23/86	Aug. 12/86	Feb. 14/86
1987	General Provincial Election	July 31/87	Sept. 10/87	July 31/87	Dec. 10/87	Aug. 19/87	Sept. 8/87	Mar. 10/88
1988	By-Elections:							
	London North	Feb. 22/88	Mar. 31/88	Feb. 22/88	June 30/88	Mar. 9/88	Mar. 29/88	Sept. 30/88
	Welland-Thorold	Sept. 23/88	Nov. 3/88	Sept. 23/88	Feb. 3/89	Oct. 12/88	Nov. 1/88	May 3/89

APPENDIX M

Report on apparent contraventions for the calendar year 1988 in compliance with section 4(1)(g) of the Election Finances Act, 1986:

With the exception of late filings of audited financial statements--situations that cannot be corrected--the Commission assisted political parties, constituency associations and candidates in the preparation and corrective action necessary in the preparation of returns required in keeping with its responsibilities under section 4(1)(a) of this Act.

	Ontario Liberal Party & Candidates	Progressive Conservative Party & Candidates	New Democratic Party & Candidates	Libertarian Party & Candidates	Freedom Party & Candidates	Green Party & Candidates	Independents
Candidate Statement of of Campaign Income and Expenses - LATE FILED Due: March 10/88 (a contravention of section 43(1))	8	35	18	22	--	3	5
Constituency Association Statement of Campaign Period Income and Expenses LATE FILED Due: March 10/88 (a contravention of section 43(1))	15	41	30	13	--	4	--
Constituency Association Annual Return - LATE FILED Due: May 31/88 (a contravention of section (42))	8	2	3	4	9	--	--
Contributions accepted prior to registration of candidate (a contravention of section 14(2))	--	3	4	2	--	--	--
Contributions accepted from a partnership (a contravention of section 27(1))	1	--	--	--	--	--	--
Contributions accepted from an affiliated political organization on behalf of the candidate (a contravention of section 27(3))	1	2	1	--	--	--	--
Failure to file candidate's audited statement of campaign income and expenses (a contravention of section 41(4))	--	--	--	--	--	--	1

APPENDIX N

Present Commission Members, by date of appointment:

William F. Scandlan	March 8, 1978	(reappointed May 8, 1985)
Ronald E. Sobier, Q.C.	February 14, 1979	(reappointed May 8, 1985)
H. Donald Guthrie, Q.C.	May 8, 1980	(reappointed May 8, 1985)
Warren R. Bailie	April 2, 1982	
Penny Dickens	February 9, 1987	(reappointed February 9, 1989)
Barrie Solandt Maxwell	November 22, 1985	(appointed Vice-Chair May 7, 1988)
Daniel J. Murphy, Q.C.	December 5, 1985	
Donald C. MacDonald	May 1, 1986	(reappointed April 28, 1989)
Richard F. Ruston	April 15, 1988	(until July 16, 1990 to fill the vacancy created by the resignation of Donald A. Paterson)

APPENDIX O

Commission Staff:

Executive Director	Gordon H. Kushner, B.Comm., C.A.
Financial Filing Officer	Roy S. Snider, C.A.
Compliance Officer I	Daphne Check
Compliance Officer II	Eileen De Calderón
Registration & Communications Officer	Jean Ouellet
Administrative Assistant to the Chairman/Office Manager	Donna Aceto
Administrative Assistant to the Executive Director	Maria Bereczki
Administrative Assistant to the Financial Filing Officer and the Registration & Communications Officer	Joanne Longe
Clerical Assistant to the Compliance Officers	Marline Harrison
Reception Coordinator	Louise Pequeneza

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